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**Daniel C. Stelter**  
Vice President and Associate General Counsel  
Intellectual Property  
Medical Products Manufacturing  
1430 Waukegan Road MPKB-A1  
McGaw Park, Illinois 60085  
847.578.6650 direct  
847.578.4448 facsimile  
daniel.stelter@cardinalhealth.com  
www.cardinalhealth.com

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☐ **FIRST CLASS MAIL TO THE ADDRESS BELOW**

12 April 2007

Honorable Commissioner for Patents  
United States Patent and Trademark Office  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

**RE: RESPONSE TO RESTRICTION REQUIREMENT**  
**Inventor(s) :** Wang et al.  
**Serial No. :** 10/783,362  
**Filed on :** 20 February 2004  
**Title :** Antimicrobial Medical Glove  
**Our Ref. :** GL-6188

Dear Sir:

Enclosed herewith for filing, Applicant(s) respectfully submits the following checked items:

- ☒ Petition for Extension of Time Under 37 C.F.R. 1.136(a), Form PTO/SB/22, and one copy thereof attached thereto, 2 sheet(s) total;
- ☒ Response to Restriction Requirement, 3 sheet(s);
- ☐ Fee Transmittal, Form PTO/SB/17, sheet(s);
- ☐ Information Disclosure Statement by Applicant(s), sheet(s), to which Form PTO/SB/08, sheet(s), has been attached along with one copy of each reference listed thereon;
- ☐ a postage-prepaid, return-receipt postcard with a listing of the above items.

If a postcard has been enclosed herewith, please stamp same to indicate your receipt of the enclosed items and return same to us at your earliest convenience.

Thank you for your attention in this matter. Please let me know if you have any questions regarding the above or the enclosed.

With kind regards,

Daniel C. Stelter

 DCS/KCL  
enc.

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. § 1.8**

The undersigned hereby certifies that a true and accurate copy of the within document, together with all attachments referred to herein, is being transmitted to the Honorable Commissioner for Patents, either by first-class mail, postage prepaid, addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, or by facsimile transmission to the facsimile number indicated hereon, on this the

12 day of April, 20 07.

*Kimberly C. Luna*  
**KIMBERLY C. LUNA**

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WASHINGTON, D.C., UNITED STATES OF AMERICA

APR 12 2007

## In re Application of:

Application No. : 10/783,362 Confirmation No. : 2424  
Applicant(s) : WANG, et al.  
Filing Date : 20 February 2004  
Entitled : ANTIMICROBIAL MEDICAL GLOVE  
Group Art Unit : 1615  
Examiner : AHMED, Hasan Syed  
Docket No. : GL-6188

VIA FACSIMILE 571.273.8300  
NO CONFIRMATION FOLLOWSCommissioner for Patents  
U.S. Patent and Trademark Office  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

<p><b>CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. § 1.9</b></p> <p>The undersigned hereby certifies that a true and accurate copy of the within document, together with all attachments referred to herein, is being transmitted to the Honorable Commissioner for Patents, either by first-class mail, postage prepaid, addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, or by facsimile transmission to the facsimile number indicated hereon, on this the <u>12</u> day of <u>APRIL</u>, 20<u>07</u>.</p> <p><i>Kimberly C. Luna</i> Kimberly C. Luna</p>
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## RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicant respectfully submits this response to the Restriction Requirement mailed on 09 February 2007. Reconsideration thereof is respectfully requested.

Applicant respectfully submits herewith a Petition for a one month extension of time under 37 C.F.R. 1.136(a) in which to file the within response. Applicants were given thirty-one (31) days (or until 12 March 2007) in which to file a reply to the Restriction Requirement. Accordingly, the within response -- together with the enclosed Petition for a one month extension of time -- is timely filed.

In the Restriction Requirement, the Examiner alleges that the following three patentably distinct inventions were claimed:

Group I (claims 1-6), drawn to a packaged antimicrobial elastomeric article;

Group II (claims 7-20), drawn to a method of producing an antimicrobial

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Response dated 12 April 2007

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elastomeric article;

Group III (claims 21-26), drawn to a method of preserving and/or prolonging the antimicrobial efficacy of an elastomeric article;

Group IV (claims 27-34), drawn to an antimicrobial elastomeric article; and,

Group V (claims 35-42), drawn to an antimicrobial glove and packaging system.

Applicant provisionally elects, with traverse, to prosecute the species alleged as Group IV drawn to an antimicrobial elastomeric article. Claims 27-34 read on this Group.

Claims 27-34 are drawn to an antimicrobial article. The traversal is based on the grounds that examination of Groups I, II, III and V (in addition to examination of Group IV) will not constitute an additional burden on the Examiner. Specifically, while the claims of Group IV are directed to an antimicrobial elastomeric article, the claims of Group I are directed to a packaged antimicrobial elastomeric article, such as the article recited in claims 27-34. Similarly, the claims of Group II are drawn to a method of producing an antimicrobial elastomeric article, such as the article recited in claims 27-34, the claims of Group III are drawn to a method of preserving and/or prolonging the antimicrobial efficacy of an elastomeric article, such as the article recited in claims 27-34, and the claims of Group V are drawn to an antimicrobial glove and packaging system for an antimicrobial article, such as the article recited in claims 27-34.

Applicant respectfully submits that the species alleged as Group I (claims 1-6), Group II (claims 7-20), Group III (claims 21-26) and Group V (claims 35-42) are properly examinable with the species of Group IV.

According to MPEP 803, there are two criteria which both must be met before a proper restriction requirement can be made. First, the alleged inventions must be independent or distinct as claimed. Second, examination of all the alleged inventions (rather than only one) must place a serious burden on the Examiner.

If the search and examination of an entire application can be made without serious burden, the examiner *must* examine it on its merits, even though it includes claims to independent or distinct inventions. See, MPEP 803. Here, this second criteria has not been met.

Applicants contend that concurrent examination of the claims of Groups I, II, III and V with the provisionally elected Group IV claims would not constitute a serious burden on the Examiner for the reasons stated above.

Applicants respectfully request that the restriction requirement be withdrawn and that favorable action on the merits be taken with respect to all of the claims in the instant application. Should the Examiner have any questions concerning the above, or believe

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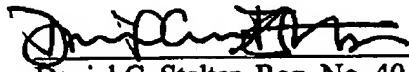
Attorney Docket No. GL-6188

that issues remain in the case, Applicants respectfully request the Examiner to contact their undersigned counsel, who may be reached by telephone to 847.578.6650.

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Respectfully submitted,

Shiping WANG, Applicant  
Yun-Siung Tony YEH, Applicant  
Danny W. PENNY, Applicant

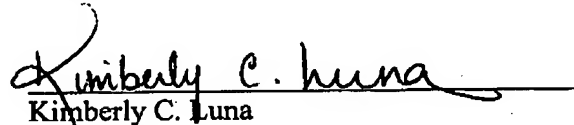
Date: 12 April 2007

Daniel C. Stelter, Reg. No. 40,830  
Counsel for Applicant

1430 Waukegan Road, MPKB-A1  
McGaw Park, Illinois 60085  
847-578-6650 direct, 847-578-4448 fax  
daniel.stelter@cardinalhealth.com

**CERTIFICATE OF TRANSMISSION UNDER 37. C.F.R. 1.8**

The undersigned certifies that a true and accurate copy of this "Response to Restriction Requirement" is being transmitted to the Honorable Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, by facsimile transmission to the above-stated facsimile number, on this the 12th day of April, 2007.

  
Kimberly C. Luna